

Amendment No. 1 to HB2503

Matheny
Signature of Sponsor

AMEND Senate Bill No. 2501

House Bill No. 2503*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 47, Chapter 18, Part 15, is amended by adding the following language as a new, appropriately designated section:

§ 47-18-15__.

(a) It is an offense for any person to utilize any ADAD equipment to intentionally:

(1) Dial telephone numbers with area codes within the state; and

(2) Conceal or misrepresent the telephone number utilized by the ADAD equipment on the call recipient's telephone or other equipment that is technically capable of displaying the number by:

(A) Displaying a telephone number other than the telephone number utilized by the ADAD equipment;

(B) Not displaying the telephone number utilized by the ADAD equipment; or

(C) Displaying an "unknown number" message or similar message instead of the telephone number utilized by the ADAD equipment.

(b) A violation of this section is a Class A misdemeanor punishable only by a fine not to exceed two thousand five hundred dollars (\$2,500) for each violation.

(c) For purposes of criminal liability, a court shall deem each call made in violation of this section as a separate offense.

(d) If a political candidate's phone number is displayed instead of the phone number being utilized by ADAD equipment, it shall not be a violation of subdivision (a)(2)(A) if:

(1) The phone number displayed on behalf of the candidate has a Tennessee area code;

(2) The political candidate signs a written document that authorizes the owner or operator of the ADAD equipment to display the candidate's phone number; and

(3) The owner or operator of the ADAD equipment files the document signed as provided in (d)(2) with the Tennessee Regulatory Authority prior to utilization of the ADAD equipment.

(e) The Tennessee regulatory authority is authorized to promulgate rules to implement the provisions of subsection (d). Such rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(f) The offenses described in this act shall not apply to a telecommunications, broadband, or voice-over-internet services provider acting solely as an intermediary for a transmission of telephone service between a caller and a recipient.

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it.